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July 13, 2020

**VIA ELECTRONIC FILING**

Jocelyn G. Boyd, Esquire  
Chief Clerk & Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

RE: Petition of Duke Energy Progress, LLC for an Expedited Decision and Issuance of a Declaratory Order that a Certificate of Environmental Compatibility and Public Convenience and Necessity for the Relocation of Four 230kV Lines at H.B. Robinson Steam Electric Plant is Not Required  
**Docket No: 2020-157-E**

Dear Ms. Boyd:

By this letter, the South Carolina Office of Regulatory Staff (“ORS”) hereby notifies the Public Service Commission of South Carolina (“Commission”) that ORS has reviewed the filing submitted by Duke Energy Progress, LLC (“DEP” or the “Company”) for a petition to the Commission to issue, on an expedited basis, a declaratory order finding that the relocation of a portion of four (4) 230 kV lines, known as the Darlington North, Darlington South, Bennettsville, and Sumter lines (the “Transmission Lines”), within the boundary of property owned by DEP is a replacement of like facilities under S.C. Code Ann. § 58-33-110(1) (the “Petition”). The Company’s Petition also includes in the request that no approval of the relocation project is required under the Siting Act (S.C. Code Ann. § 58-33-10 through 58-33-170).

**Overview of Company’s Request**

In July 2015, DEP executed a consent agreement with the South Carolina Department of Health and Environmental Control (“DHEC”) requiring the excavation of the inactive coal ash fill area at the Company’s H.B. Robinson plant (“Robinson”) within eight (8) years. In accordance with the consent agreement, the Company states that it is moving forward with plans to excavate the coal ash on the Robinson site. DEP states that the Transmission Lines are located within the boundaries of the Robinson site and are on property owned by DEP. Per the Company’s Petition,

Letter – Jocelyn G. Boyd, Esquire  
Page 2 of 2  
July 13, 2020

in order to allow for continued excavation of coal ash onsite in accordance with the consent agreement with DHEC, DEP needs to permanently relocate the Transmission Lines from the existing route. The total length of the portions of the Transmission Lines being relocated is approximately 1.5 miles. The Company states that the replacement of the Transmission Lines is essential to the completion of the Company's obligations under the consent Agreement with DHEC and its continued operations at Robinson.

The Company plans to begin the relocation project immediately if the Commission agrees that the relocation of the Transmission Lines is a "like facility." With regards to a timeframe, the Company discusses in its Petition that the relocation project is currently on a schedule that allows for the work to coincide with the upcoming refueling outage for the Robinson plant. As part of the Petition, the Company requests that the Petition be given expedited review. The Company's reasoning for expedited approval discusses that it will allow for clearing and preliminary work to begin in the coming weeks without causing construction constraints in the fall. The Company also states that expedited review will allow the project to be completed in a way that minimizes disruption to DEP operations.

### **ORS Recommendation**

After reviewing the Company's request and conducting discussions with Company personnel, ORS understands the Company's position with regards to DEP seeking a "like facilities" filing as described by S.C. Code Ann. § 58-33-110(1) (2015). ORS also understands the Company's position regarding an expedited review given the unique nature of this project and does not object to this request. The Transmission Lines at issue are being relocated with the purpose to facilitate the continued excavation of an ash fill area located at the Robinson site inside the boundaries of DEP's property and within a contained area that is inaccessible to the public. Should the Commission determine that the Company's request does not exceed the criteria for a "like facilities" filing, ORS has no objection to the Company's filing.

Please do not hesitate to contact me.

Very truly yours,

*s/ Jeffrey M. Nelson*

Jeffrey M. Nelson

cc: All Parties of Record (via e-mail)  
David Butler, Esquire (via e-mail)